HABC 06 of 2001

Hon. P.C. Verma,A.C.J.
Hon. Irshad Hussain,J.

Heard learned counsel for the parties.

This habeas corpus petition is misconceived.

The petitioners have remedy under the guardian and words Act before the competent court. It is reported that a suit is also pending between the parties. During the pending of suit this petition should not petition should not have been filed.

Therefore, the lower court is directed to decide the matter between parties within a period of one month. However, the F.D.Rs. (Fixed deposit receipts) shall be deposited with the District Judge, Dehradun.

The petition is disposed of accordingly.

(Irshad Hussain,J.) **(P.C. Verma,A.C.J.)**

Dt. 20.5.2003